

# UTILITY PATENT APPLICATION TRANSMITTAL

(only for new non-provisional applications under 37 CFR §1.53(b))

22141 U.S. PTO  
10/840105



050604

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

May 6, 2004

Date of Deposit

Bonnie Stein  
Signature

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Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Transmitted herewith for filing is the patent application under 37 CFR 1.53(b) of:

AVENTIS DOCKET NO.: **DEAV2003/0047US NP**  
INVENTORS: **HEINELT, et al.**  
TITLE: **Process for synthesizing heterocyclic compounds**

## APPLICATION ELEMENTS

1. ☒ \*Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2. ☒ Specification  
(preferred arrangement set forth below)
- Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure

Total Pages 32

3. ☐ Drawing(s) (35 U.S.C. 113)

Total Sheets 0

4. Oath or Declaration

Total Pages 2

- a. ☒ Newly **unexecuted** (original or copy)

- b. ☐ Copy from a prior application (37 CFR § 1.63(d))

- i. ☐ **DELETION OF INVENTOR(S)**

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).

5. Power of Attorney

Total Pages

- a. ☐ Newly executed (original or copy)

- b. ☐ Copy from a prior application (37 CFR § 1.63(d))

6. ☐ Microfiche Computer Program (Appendix)

7. Nucleotide and/or Amino Acid Sequence Submission

(if applicable, all necessary)

- a. ☐ Computer Readable Copy  
b. ☐ Paper Copy (identical to computer copy)  
c. ☐ Statement verifying identity of above copies

☐ If a **CONTINUING Application**, check appropriate box, and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part

of prior application no: \_\_\_\_\_, filed \_\_\_\_\_,

Examiner \_\_\_\_\_, Group/Art Unit \_\_\_\_\_.

(The cross reference has been/will be inserted on page one of the specification).

☒ This application claims priority to German 10323701.1 filed May 22, 2003 and the benefit of U.S. Provisional Application No. 60/507,143, filed September 30, 2003.

(The cross reference has been inserted on page one of the specification).

☐ **Incorporation By Reference** (useable if filing a continuation/divisional and a copy of the declaration from the prior application is enclosed.)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

**ACCOMPANYING APPLICATION PARTS**

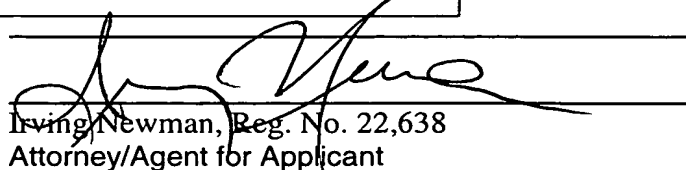
7. ☐ Assignment Papers (cover sheet & document(s))  
8. ☐ 37 CFR §3.73(b) Statement  
(when there is an assignee)  
9. ☐ Verified English Translation Document (if applicable)  
10. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations  
11. ☐ Preliminary Amendment  
12. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)  
13. ☐ \*Small Entity Statement(s) ☐ Statement filed in prior application,  
(PTO/SB/09-12) Status still proper and desired  
14. ☒ Certified Copy of Priority Document(s) German 10323701.1  
(if foreign priority is claimed)  
15. ☒ Other: Application Data Sheet

**CORRESPONDENCE ADDRESS**

☒ Customer Number or Bar Code Label

**005487**

(Insert Customer No. or Attach bar code label here)

  
Irving Newman, Reg. No. 22,638  
Attorney/Agent for Applicant

Aventis Pharmaceuticals Inc.  
Patent Department  
Route #202-206 / P.O. Box 6800  
Bridgewater, New Jersey 08807-0800  
Telephone (908) 231-2785  
Telefax (908) 231-2626  
Aventis Docket No. DEAV2003/0047US NP

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# FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT (\$ 770.00)**

## Complete if Known

Application Number	Not Yet Assigned
Filing Date	Filed Concurrently Herewith
First Named Inventor	Heinelt, et al
Examiner Name	Not Yet Assigned
Group / Art Unit	Not Yet Assigned
Attorney Docket No.	DEAV2003/0047US NP

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number  
Deposit Account Name

18-1982

Aventis Pharmaceuticals Inc.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	375	Utility filing fee	770
1002	340	2002	165	Design filing Fee	
1003	530	2003	260	Plant filing fee	
1004	770	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1) (\$770)**

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Total Claims	Extra Claims	Fee from below	Fee Paid
Total Claims	9	-20**= 0	x 18	= 0
Independent Claims	1	- 3**= 0	x 86	= 0
Multiple Dependent				

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	42	Independent claims in excess of 3
1203	290	2203	140	Multiple dependent claim, if not paid
1204	86	2204	42	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$0.00)**

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English Specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	205	Extension for reply within second month	
1253	950	2253	465	Extension for reply within third month	
1254	1,480	2254	725	Extension for reply within fourth month	
1255	2,010	2255	985	Extension for reply within fifth month	
1401	330	2401	160	Notice of Appeal	
1402	330	2402	160	Filing a brief in support of an appeal	
1403	290	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	650	Petition to revive - unintentional	
1501	1,330	2501	650	Utility issue fee (or reissue)	
1502	480	2502	235	Design issue fee	
1503	640	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

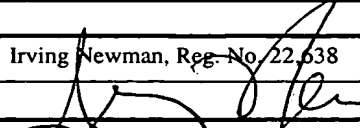
Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)**

## SUBMITTED BY

Name (Print/Type) Irving Newman, Reg. No. 22,638

Signature 

Registration No. (Attorney/Agent)

22,638

## Complete (If applicable)

Telephone

(908) 231-2785

Date

5/6/04

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Alexandria, VA 22313. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Aventis Pharmaceuticals Inc. template